

*AMENDMENTS TO THE DRAWINGS*

The attached sheet of the drawings merely provides clearer copies of Fig. 11 and Fig. 12. This sheet, which includes Fig. 11 and Fig. 12, replaces the original sheet including Fig. 11 and Fig. 12. Accordingly, no new matter has been added by way of these amendments.

Attachment: Replacement Sheet

*REMARKS/ARGUMENTS**The Pending Claims*

Claims 1 and 3-22 currently are pending.

*Amendments to the Specification*

The specification has been amended to correct typographical errors. Support for these amendments can be found in the specification as originally filed, at, for example, page 7, lines 3-7. Accordingly, no new matter has been added by way of these amendments.

*Amendments to the Claims*

The claims have been amended to point out more particularly and claim more distinctly the invention. Claims 1, 21, and 22 have been amended to specify that the language cues comprise semantic cues and that the semantic cues are filtered with a stoplist. Support for these amendments can be found in the specification as originally filed, at, for example, page 4, line 14; page 5, lines 21-22; page 7, lines 20-23; page 15, lines 12-14 and lines 23-24; and page 17, lines 13-14.

Claim 7 has been amended to specify that analyzing the language cues comprises pre-processing a text sample into blocks of words, and extracting key features by analyzing the text sample to determine a frequency of occurrence of words, syllables, phonemes or other symbols in each of the blocks of words. Support for these amendments can be found in the specification as originally filed, at, for example, page 7, lines 27-28, page 9, lines 3-5, and page 12, lines 21-22.

Claim 2 has been cancelled. As a result of the cancellation of claim 2, claims 4 and 5 have been amended to reflect proper dependencies. Claims 3, 6, and 8-19 have been amended to correct formal matters regarding the claim language.

*Amendments to the Drawings*

The Examiner is requested to approve the accompanying replacement drawing. The replacement drawing provides clearer copies of Figures 11 and 12 with respect to clarity and reproductive quality, and is identical to the original drawing in all other respects.

*The Office Action*

The Office has objected to Figures 1-4 as allegedly failing to comply with 37 CFR § 1.84(p)(5). The Office also has objected to Figures 11 and 12 as allegedly being unclear. The Office has objected to the specification for failing to include reference numbers referring to Figures 1-4 and for an inconsistency in the paragraph beginning at page 12, line 10.

Claim 6 has been rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Claims 1, 2, 4, 7, 9, 21, and 22 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent 7,058,566 (Shaw) ("the Shaw patent"). Claims 3, 6, and 8 have been rejected under 35 U.S.C. § 103(a) as allegedly obvious over the Shaw patent in view of International Patent Application Publication WO 01/87158 A1 (Brown et al.) ("the Brown publication"). Claims 5 and 10 have been rejected under 35 U.S.C. § 103(a) as allegedly obvious over the Shaw patent in view of U.S. Patent 6,006,188 (Bogdashevsky et al.) ("the Bogdashevsky patent"). Claims 11-17 have been rejected under 35 U.S.C. § 103(a) as allegedly obvious over the Shaw patent in view of U.S. Patent 7,269,516 (Brunner et al.) ("the Brunner patent").

The Office has indicated that claims 18-20 are allowable.

Reconsideration of these rejections is respectfully requested in view of the claim amendments and remarks herein.

*Discussion of Objections to the Drawings*

The Office has objected to Figures 1-4 as allegedly failing to comply with 37 CFR § 1.84(p)(5). In particular, the Office contends that Applicants have failed to include reference numerals either in Figures 1-4 or in the specification. Applicants respectfully submit that 37 CFR § 1.84(p)(5) only specifies that reference characters not mentioned in the description shall not appear in the drawings, and that reference characters mentioned in the

description must appear in the drawings, but does not require the use of reference numerals. Moreover, the specification contains a detailed description of Figures 1-4, at, for example, page 7, line 19, through page 12, line 9, such that Applicants believe that reference numerals would not further assist in the comprehension of Figures 1-4. Accordingly, Applicants submit that Figures 1-4 are in compliance with 37 CFR § 1.84(p)(5).

The Office has objected to Figures 11 and 12 as allegedly being unclear. Applicants submit herewith a replacement sheet, which provides clearer copies of Figures 11 and 12 with respect to clarity and reproductive quality, and which otherwise is identical to the original sheet in all other respects.

In view of the foregoing, Applicants respectfully submit that the objections to the drawings should be withdrawn.

*Discussion of Objections to the Specification*

The Office has objected to the specification for failing to include reference numbers referring to Figures 1-4. As discussed above with respect to the objection to the drawings, Figures 1-4 have not been amended to include reference numerals because the specification contains a detailed description of Figures 1-4, at, for example, page 7, line 19, through page 12, line 9, such that Applicants believe that reference numerals would not further assist in the comprehension of Figures 1-4. Therefore, in compliance with 37 CFR § 1.84(p)(5), the specification also has not been amended to include reference numerals referring to Figures 1-4.

The Office also has objected to the specification because the detailed description of Figures 5 and 6 set forth in the paragraph beginning at page 12, line 10, does not comport with the brief description of Figures 5 and 6 set forth at page 7, lines 3-7. The paragraph beginning at page 12, line 10, has been amended to comport with the brief description of the drawings set forth at page 7, lines 3-7.

In view of the foregoing, Applicants respectfully submit that the objections to the specification should be withdrawn.

*Discussion of Rejection Under 35 U.S.C. §112, Second Paragraph*

Claim 6 has been rejected as allegedly indefinite. Specifically, the Office alleges that the meaning of the phrases “such as” and “other body movements” recited in claim 6 are unclear and indefinite. Claim 6 has been amended to specify that the visual cues are derived from body language that comprises facial expression or body movement. Applicants submit that amended claim 6 is sufficiently clear and definite. Accordingly, the Section 112 rejection should be withdrawn.

*Discussion of Rejections Under 35 U.S.C. § 102(e)*

Claims 1, 2, 4, 7, 9, 21, and 22 have been rejected as allegedly anticipated by the Shaw patent.

The Office alleges that the Shaw patent discloses every element recited in independent claims 1, 21, and 22. Claims 1 and 22 have been amended to specify that the method comprises filtering the semantic cues with a stoplist. Claim 21 has been amended to specify that the apparatus comprises a processor programmed to analyze the language cues, compile a data file, and filter the semantic cues with a stoplist. Accordingly, claims 1, 21, and 22, as well as claims depending thereon, require the feature of filtering the semantic cues with a stoplist.

The Shaw patent does not disclose or suggest filtering semantic language cues with a stoplist as set forth in the methods of claims 1 and 22 or the apparatus of claim 21. Moreover, the Office has acknowledged that the Shaw patent does not disclose filtering the semantic cues with a stoplist (see page 13 of the Office Action mailed on January 9, 2009).

In view of the foregoing, Applicants respectfully submit that the Shaw patent does not disclose the subject matter recited in pending claims 1, 2, 4, 7, 9, 21, and 22. Accordingly, the rejection under Section 102(e) should be withdrawn.

Furthermore, the present invention as defined by the pending claims is not obvious in view of the Shaw patent. There is nothing in the Shaw patent that would provide a reason for one of ordinary skill in the art to modify the method or system disclosed therein to provide the present invention. In addition, Applicants respectfully would like to point out that the

“key features” recited in pending claims 1 and 22 are not the same as the “keywords” disclosed in the Shaw patent. In particular, the methods recited in pending claims 1 and 22 do not require counting keywords (i.e. specific words), nor do the methods require analyzing phrases, as taught by the Shaw patent. For example, in one embodiment of the invention, as recited in amended claim 7, analyzing the language cues comprises pre-processing a text sample into blocks of words and extracting key features by analyzing the text sample to determine a frequency of occurrence of words, syllables, phonemes or other symbols in each of the blocks of words. Moreover, the invention disclosed in the Shaw patent requires the use of a parser, which identifies keywords and phrases and message characteristics. In summary, the Shaw patent teaches the use of feature extraction, whereas the invention recited in the pending claims does not require the use of a parser and, according to some embodiments, all words are utilized.

Applicants also note that the Shaw patent discloses that the results of the analysis are forwarded to a database and statistical module where the identified, counted, and recorded words, phrases, and message characteristics are stored in the form of a spreadsheet. Unlike the method disclosed in the Shaw patent, the methods recited in the pending claims are machine learning based, and the results are weights of neural networks, alphas of SVMs, etc.

*Discussion of Rejections Under 35 U.S.C. §103(a)*

Claims 3, 6, and 8 have been rejected as allegedly obvious over the Shaw patent in view of the Brown publication. Claims 5 and 10 have been rejected as allegedly obvious over the Shaw patent in view of the Bogdashevsky patent. Claims 11-17 have been rejected as allegedly obvious over the Shaw patent in view of the Brunner patent.

Rejected claims 3, 5, 6, 8, 10, and 11-17 directly or indirectly depend from claim 1. As discussed above in connection with the anticipation rejection, the Shaw patent does not disclose or suggest a method comprising filtering semantic cues with a stoplist, as recited in claim 1 and claims depending thereon. The Brown publication, the Bogdashevsky patent, and the Brunner patent do not compensate for the deficiencies of the Shaw patent in this regard. In particular, neither the Brown publication, the Bogdashevsky patent, nor the Brunner patent discloses or suggests a method comprising filtering semantic cues with a stoplist, as recited in the pending claim 1 and claims depending thereon.

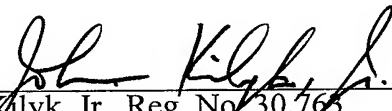
Since none of the cited references, either alone or in combination, discloses or suggests a method comprising filtering semantic cues with a stoplist, as recited in the rejected claims, even if one of ordinary skill in the art would have developed a method based on the combined disclosure of the Shaw patent, the Brown publication, the Bogdashevsky patent, and the Brunner patent, the resulting method would not comprise filtering semantic cues with a stoplist, as required by pending claim 1 and claims depending thereon.

In view of the foregoing, the cited references do not render obvious the present invention as recited in pending claims 3, 5, 6, 8, 10, and 11-17, and the obviousness rejection under section 103 should be withdrawn.

*Conclusion*

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

  
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